

NEIGHBOURHOOD policy paper



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THE EU'S TRANSPORT POLICY WITHIN THE CONTEXT OF ITS EASTERN AND SOUTHERN NEIGHBORHOODS

The article examines the development of the EU's transport policy within the framework of the European Neighbourhood Policy and its extension to the EU's Eastern and Southern Neighborhoods, through the Union for the Mediterranean, the Black Sea Synergy and the Eastern Partnership. The paper argues that the splitting of the EU's transport policies among many initiatives has not proven to be effective in achieving its goals. It underlines the fact, that while the policies themselves are substantial, they rarely reach the implementation phase. The important transport-related activities of the BSEC, UNECE and the private sector are proposed to be taken into consideration by the EU and integrated into its policies.

Key words: EU transport policy, Black Sea Synergy, European Neighbourhood Policy, Eastern Partnership, Union for the Mediterranean, BSEC

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Ever since the process of the development of the European Neighbourhood Policy (ENP) was launched in April 2002, many European Commission Communications and policy analyses have been issued on the topic. The development of the transport sector, within this framework, will be the focus of the attention of this paper.

The paper will examine the development of the transport policy of the European Union (EU) within the framework of the European Neighbourhood Policy and its extension to the EU's Eastern and Southern Neighborhoods through the Union for the Mediterranean, the Black Sea Synergy and the Eastern Partnership.

The paper will also include an assessment of what has and has not been achieved coupled with policy recommendations on how to correct certain issues.

Transport within the European Neighbourhood Policy

In the European Commission's Communication to the Council of Ministers and the European Parliament concerning the Strategy Paper of the European Neighbourhood Policy of 12 May 2004, there is a general paragraph on Transport that mentions the need for efficient, multimodal and sustainable transport systems in order to generate more trade and tourism between the Union and its neighbors. (Commission of the European Communities, 2004) Furthermore, mention is made of the need to improve the physical transport networks connecting the Union with neighboring countries and that in view of the costs involved, it would be crucial to coordinate closely in drawing up investment plans for these networks.

Existing initiatives such as the European Transport Network Concept, various Pan-European Transport Conferences, or the Commission's proposals of June 2003 for a Euro-Mediterranean transport network, providing a sound basis to move forward, are also mentioned in the Communication. In the same Strategy Paper there is a paragraph on the Mediterranean which notes that regional and sub-regional cooperation in the Mediterranean, in the context of the ENP, will build on the acquis of the Euro-Mediterranean Partnership. Reference is also made to infrastructure interconnection projects and in particular to the development of a blueprint for sub-regional intermodal transport networks in the Maghreb and in the Near East, including rail and road infrastructure interconnections, and maritime transport. It also mentions the need for improvements at border crossings and post-hinterland connections.

An important step was taken by the EU when the Commission issued its Communication on the "Extension of the major trans-European transport axes to the neighbouring countries" on 31 January 2007. (Commission of the European Communities, 2007a) This was the first comprehensive Commission Communication with guidelines for transport in Europe and the neighboring regions. The Communication defines the geographical areas that it deals with (Western Balkans, Mediterranean Region, Turkey, TRACECA corridor, Belarus, Moldova and Ukraine, Russia, Caspian and Black Sea), and most importantly, it proposes the five transnational axes which are to connect the EU with its neighbors. These include:

- **The Motorways of the Sea** to link the Baltic, Barents, Atlantic, Mediterranean, Black and the Caspian Sea areas as well as the littoral countries within the sea areas and with an extension through the Suez Canal towards the Red Sea.
- **The Northern Axis** to connect the northern EU with Norway to the north and with Belarus and Russia to the east.
- **The Central Axis** to link the center of the EU to Ukraine and the Black Sea and through an inland waterway connection to the Caspian Sea.
- **The South Eastern Axis** to link the EU with the Balkans and Turkey and further with the Southern Caucasus and the Caspian Sea as well as with the Middle East up to Egypt and the Red Sea.

- **The South Western Axis** to connect the southwestern EU with Switzerland and Morocco, including the trans-Maghrebin link connecting Morocco, Algeria, Tunisia and its extension to Egypt.

The Communication also proposes horizontal measures to promote interoperability.

This Communication was followed by another one in 2011 entitled "The EU and its neighbouring regions: A renewed approach to transport cooperation". (European Commission, 2011a) The new Communication sets out a renewed transport policy cooperation with the EU's neighboring regions building on the 2007 Communication. This time all transportation modes are covered.

The aviation sector deals with creating a wider European Common Aviation Area (ECAA) with the closer integration of the EU's neighbors. Proposed actions of a practical nature were submitted for the short term until 2013 and also for a longer term. Such actions included the completion of ongoing negotiations for comprehensive air services agreements and extended negotiations on such agreements to other neighboring countries once they are ready, continued assistance to neighboring countries for the modernization of their air traffic management systems, etc.

The sector on maritime and inland navigation is quite comprehensive covering the European Maritime Transport Space, enhancing maritime safety and security, and the EU Strategy for the Danube Region. The short term proposed actions include supporting the neighboring countries to improve their Flag State performance and comply with safety, security and social standards; working with the neighboring countries with a view to simplify procedures for short sea shipping in line with the European Maritime Transport Space; and assisting neighboring countries to achieve EU and international standards in inland navigation.

The road transport sector is not as comprehensive as one would expect. The cumbersome administrative procedures at border crossings which remain an obstacle to the efficient flow of goods between the EU and its Eastern neighbors are mentioned. The Commission quoting an assessment from the International Road Transport Union (IRU) stresses that 40% of total transportation time is lost at the

borders due to discrepancies in administrative procedures. Emphasis is given to facilitating border crossing procedures.

The short term proposed actions include strengthening customs cooperation with Belarus, Moldova and Ukraine to facilitate border crossings and studying the impact of the gradual opening of the road market with selected neighboring countries.

In the rail sector, the problems created by the existing technical barriers namely the difference between the gauges used in Belarus, Moldova and Ukraine (1520 mm) and the standard gauge used in most EU countries (1435 mm) are mentioned. The short term proposed actions include to specify the 1520/1524 mm track gauge system in the standards developed by the European Rail Agency (ERA) and to promote the deployment of the European Rail Traffic Management System in neighboring countries.

The Infrastructure Connections mentioned further on in the Communication are quite significant since to improve these connections the Commission defines the networks, prioritizes projects and mobilizes financing.

Proposed actions in the short term include:

- the definition of strategic transport networks in the Eastern Partnership region with connectivity to the revised Trans-European Transport network (TEN-T);
- the adaptation of the planning of the future Trans-Mediterranean transport network in the context of the revised TEN-T policy;
- the preparation of a potential pipeline of European interest in the Eastern Neighborhood countries prioritizing projects that connect them with the EU;
- strengthening the Commission's cooperation with the International Financial Institutions (IFIs) in the Eastern and Southern ENP regions, and in the Western Balkans giving priority to financing projects that help develop the South East Europe Comprehensive Regional Transport Network; and developing further maritime based connections through the Motorways of the Sea concept.

The European Council of 6 October 2011 welcomed the Commission Communication. It also encouraged the EU to continue its cooperation in the Euro-Mediterranean (Euromed) transport framework under the auspices of the Union for the Mediterranean. It furthermore recognized the need for a more structured cooperation with the Eastern Partnership countries within an efficient and transparent framework.

Transport within the Union for the Mediterranean

The 1995 Barcelona Declaration provides for the development of an efficient Trans-Mediterranean multimodal combined sea and air transport system, through the improvement and modernization of ports and airports, the suppression of unwarranted restrictions, the simplification of procedures, the improvement of maritime and air safety, the harmonization of environmental standards and the development of harmonized traffic management systems. It also refers to the development of East-West land links on the southern and eastern shores of the Mediterranean and the connection of the Mediterranean transport networks to the Trans-European Network in order to ensure their interoperability.

In 2005, the "Euromed Five Year Work Programme" referred to the need "to develop a regional transport infrastructure network and adopt a set of recommendations at the Marrakech Euromed Transport Ministerial Conference in 2005 to boost transport cooperation." (European Commission, 2005) At the Marrakech Transport Euromed Ministerial Conference Declaration of 15 December 2005, the Ministers welcomed the reforms taken by the Mediterranean partners in the transport sector and in particular concerning the opening of the markets.

They decided to grant priority to realizing the missing interconnections on the North-South and on the South-South plans and to the principal transnational axes and projects identified by the High Level Group and the MEDA exercise of planning regional transport resources. Concerning Maritime Transport, the Ministers decided to continue the upgrading of ports and port services. On multimodal transport the Ministers also decided to develop port connections with their hinterland in order to promote the Motorways of the Sea and

to enhance the role of railroads in the multimodal system by restructuring the sector. They decided to modernize the road transport industry by ameliorating the license mechanisms, taking into consideration international and European standards and by simplifying the border crossing procedures, particularly customs. Enhanced cooperation was anticipated for the air transport sector.

Transport within the Black Sea Synergy

On 4 April 2007, the Commission issued its Communication to the Council of Ministers and the European Parliament on the “Black Sea Synergy - A New Regional Cooperative Initiative”. (Commission of the European Communities, 2007b) The transport paragraph was quite general without going into specifics. It mentioned that the Commission should continue to actively support regional transport cooperation with a view to improve the efficiency, safety and security of transport operations. Reference is made to the aforementioned 2007 Communication on Transport. (Commission of the European Communities, 2007a) It further mentions that there is a need for close coordination with ongoing initiatives, which should lead to a clear division of labor or even a partial merger between existing regular events and structures.

Transport policy dialogue with a view to regulatory approximations would remain a central goal and that the Commission would intend to assist in identifying those actions that will help to achieve a uniform and consistent application of relevant instruments and standards.

Mention is made of extending the common aviation areas, while on maritime transport, maritime safety is to be high on the agenda and the advantages offered by short sea shipping and inland waterways, notably the Danube would be fully exploited.

On 14 February 2008, the first and only meeting between the Ministers of Foreign Affairs of the countries of the European Union and of the wider Black Sea area was held in Kyiv. In their joint Statement, transport was mentioned as a priority area where the EU will support Black Sea regional cooperation in order to produce tangible results. They agreed to support regional transport cooperation with a view to improve efficiency, safety and security. They also agreed that the Black Sea Synergy offers a framework to improve

coordination between relevant EU and regional policies as well as wide-ranging programs such as the development of major transnational transport axes, the Motorways of the Sea or the Black Sea Ring Highway. (Commission of the European Communities, 2008d)

On 19 June 2008, the Commission issued its Report on the first year of implementation of the Black Sea Synergy. (Commission of the European Communities, 2008a) On transport, it is mentioned that the Commission has started streamlining the various transport cooperation efforts. There is reference to the fact that the Commission launched exploratory talks with the countries of the region on the extension of the trans-European transport networks, which involves the possibility of preparing the TRACECA structures to serve as institutions for the South-Eastern axis.¹ The Commission had begun to implement the Motorways of the Sea concept in the Black Sea, closely linked to the TRACECA program. It finally mentioned that work had started to extend the Common Aviation Area to the Black Sea countries. Finally it was decided that Greece would take the initiative to create a transport partnership within the Black Sea Synergy.²

Transport within the Eastern Partnership

On 3 December 2008 the Commission issued a Communication to the Council of Ministers and the European Parliament on the Eastern Partnership (EaP). (Commission of the European Communities, 2008b) There is mention of transport in the sense that the EaP multilateral process should also facilitate the interconnection of the partners' transport and telecommunication networks - among themselves and with the EU and the harmonization of the regulatory environment.

As a strong and diversified regional transport cooperation already exists notably in the framework of TRACECA; the Communication stated that the EaP could promote additional technical talks on selected topics such as aviation safety, inland navigation and infrastructure projects, taking due account of on-going talks in other regions.

The Commission Staff Working Document accompanying the Commission's Communication makes reference to a proposal of the Commission to define a roadmap leading to the accession to the common transit system and the possible extension

of the current pilot projects on the exchanges of advance customs (transit) information based on the contents of the TIR Carnet³ to other partners. (Commission of the European Communities, 2008c)

While there was no specific mention of transport in the Joint Declaration of the Eastern Partnership Summit that was held in Prague on 7 May 2009, the Joint Declaration of the Eastern Partnership Summit held in Warsaw on 29-30 September 2011 states that in the transport sector, the infrastructure network of the EU and partner countries should be linked more tightly in order to facilitate the exchange of peoples and goods. (Council of the European Union, 2011a) This can be achieved through closer market integration and improved infrastructure links. The participants of the Summit further agreed to enhance cooperation on transport, in particular in the framework of the Eastern Partnership multilateral track and took note of the good progress being made in developing a wider European Common Aviation Area.

However, a big push was given to transport cooperation in the Eastern Partnership with the Joint Declaration on Transport that was adopted between the EU and the Eastern Partnership countries at the Ministerial Conference in Krakow on 24-25 October 2011. (Council of the European Union, 2011b) The participants underlined the importance of transport cooperation that facilitates the safe travel of people and the reliable transport of goods between the EU and the Eastern Partnership countries. They also committed themselves to improve transport connections including through policy cooperation, improved administrative procedures at the border crossings and the removal of bottlenecks in infrastructure. They welcomed the establishment of the Eastern Partnership Transport Panel as a result-oriented permanent framework for transport cooperation between the EU and the Eastern Partnership countries.

The progress achieved to date in the transport sector is reflected in the Joint Staff Working Document on the implementation of the ENP in 2011 and the Eastern Partnership. (European Commission and High Representative of the European Union for Foreign Affairs and Security Policy, 2012) Mention is made of the Krakow Joint Declaration and of the Transport Panel that was established in October 2011 to oversee transport cooperation and to

streamline the implementation of regional transport cooperation. There is also reference to the ongoing progress of negotiating comprehensive air services agreements with some of the partners.

De Lege Ferenda - Transport within the future EU Strategy for the Black Sea

On 20 January 2011, the European Parliament submitted to the Council of Ministers and to the Commission a resolution on an EU Strategy for the Black Sea which has not been implemented since the Commission to date has not acted on it. (European Parliament, 2010) This resolution, as far as transport is concerned, supports the continued development of initiatives under TRACECA and calls on the EU to strengthen further its support for infrastructure projects in the region.

It further considers as essential the development of the EU's Black Sea and maritime Danube ports. It also stresses the need to modernize infrastructure in the Black Sea region and establish connections with European transport corridors. It also calls on the Commission and the member states to expedite the completion of priority trans-European transport projects along axes 7, 18, 21 and 22 and their progressive assimilation with the TRACECA corridor. Finally, the Black Sea riparian states are called to conclude a Memorandum of Understanding on the development of Black Sea maritime corridors and the resolution asks the Commission to open a TEN-T budget line with funding for Black Sea maritime corridors similar to those which already exist for the Baltic Sea, North Sea and Mediterranean Sea maritime corridors.

Assessment

It is the European Neighbourhood Policy that provides the basic EU transport policy guidelines primarily through the 12 May 2004 Communication of the Commission concerning the Strategic Paper of the ENP; the 31 January 2007 Communication on the extension of the major trans-European transport axes to the neighboring countries; and the 2011 Communication on a renewed approach to transport cooperation in the EU and its neighboring regions.

The transport policy of the EU within the context of its Eastern and Southern Neighbors is covered by these three Communications, which theoretically

allow the EU to proceed in developing a coherent transport policy towards the East and the South and it effectively did. The question then arises: why does the EU cover transport with third countries separately within the Union for the Mediterranean, the Black Sea Synergy, the Eastern Partnership, and the future EU Strategy for the Black Sea?

The Union for the Mediterranean was one of the first EU regional initiatives dating back to the Barcelona Declaration of 1995 that also includes comprehensive aspects for transport policy as described previously. It was only natural to include transport issues here, since the ENP did not yet exist. The Marrakech Transport Ministerial Conference of 2005 took into consideration the ENP and in its conclusions mentioned that the ENP will increase cooperation between the EU and its Mediterranean partners, including in the transport sector. Thus a link was established between these two initiatives helping the implementation of transport policies by the EU.

The Black Sea Synergy originated from a different rationale. The initiative for creating the Black Sea Synergy came from the Organization of the Black Sea Economic Cooperation Organization (BSEC) as far back as 2006.⁴ The initial ambition of the BSEC was to have a structured relationship with the EU. With the support of the then German Presidency of the EU which exercised pressure on the Commission, the Commission Communication on a Black Sea Synergy was issued on 4 April 2007. It was not what BSEC had expected. Structured relations between the two sides were not included; instead there was reference to a loose cooperation between the countries of the wider Black Sea Region and the member states of the EU. It also acknowledged the BSEC as the most inclusive and institutionalized regional organization in the Black Sea Region.

The reason that structured relations were not accorded to the BSEC was that while this idea was supported by the German Presidency and Greece, it was blocked by the Visegrad Group countries and Sweden who were preparing the Eastern Partnership project that included structured relations with the partner countries.

On 14 February 2008, in the framework of the Black Sea Synergy, the first and only meeting of the Ministers of Foreign Affairs of the EU and of

the countries of the Wider Black Sea Area was held in Kyiv. Upon the insistence of the BSEC, transport was mentioned as a priority area in the Joint Statement, where the EU committed to support Black Sea regional cooperation in order to produce tangible results. At the BSEC's urging, it was agreed that the Black Sea Synergy offers a framework to improve coordination between the relevant EU and regional policies.

Unfortunately, the BSEC felt ignored from the EU in almost all aspects of transport policy. The Union ignored the existence of the BSEC flagship project of the Black Sea Ring Highway (BSRH), a 7100 kilometers long motorway that aims to unite the European Road Network with that of Asia. The EU refused to participate in all meetings of the Steering Committee of the BSRH, invoking budgetary constraints. Eventually, the BSEC Secretariat was clearly told that the Commission has no interest in the BSRH but only in the Motorways of the Sea project and its extension in the Black Sea.

A transport partnership was decided to be created within the Black Sea Synergy with Greece taking the initiative to conceptualize it. It has not yet materialized.

Furthermore, TRACECA was funded with some 2 million Euros by the European Commission for a study on the Motorways of the Sea in the Black Sea while the BSEC was already in the process of drafting a similar study. No importance was given by the EU to the BSEC Permit project, a regional initiative of the BSEC that allows a truck to transit with only one document through the other participating states. To date, the EU has taken only minimal steps for the implementation of transport-related decisions and this only within the framework of the Motorways of the Sea in the Black Sea.

The Eastern Partnership includes 5 member states of the BSEC (Armenia, Azerbaijan, Georgia, Moldova and Ukraine), but excludes Turkey and Russia. Essentially, it was created in order to exclude Russia, which has its own strategic partnership with the EU. Turkey is not included by virtue of being a candidate to the EU.

The almost parallel launching of the Eastern Partnership (EaP) and the Black Sea Synergy complicated the formulation of a **coherent** EU policy towards its eastern neighborhood and a degree

of overlapping agendas and policies was noted. (Tsantoulis, 2009, p.5) While transport was not given much importance in the original Commission Communication on the Eastern Partnership, as well as in the Joint Declaration of the Prague EaP Summit of 7 May 2009; since 2011, in the Joint Declaration of the Warsaw EaP Summit of 29-30 September, transport started acquiring an important role with comprehensive descriptions of what should be done. This culminated in the convening of a Ministerial Transport Conference in Krakow on 24-25 October 2011 and the adoption of a Joint Declaration dealing only with transport issues. An Eastern Partnership Transport Panel was established as was previously mentioned.

Recommendations and conclusions

The splitting of the EU's transport policies among many initiatives has proven not to be effective in achieving its goals. While the policies themselves are substantial, they rarely reach the implementation phase. The splitting of the policy has led to the involvement of many Commission Directorate Generals besides the Directorate General for Mobility and Transport (DG MOVE) which has the overall coordination of transport policy implementation based on the ENP. All decisions or initiatives taken under transport should be centralized under DG MOVE for their implementation in order to avoid unnecessary duplication.

The Commission should start working on the Black Sea Strategy resolution of the European Parliament that was sent in early 2011 to the Council and to the Commission for implementation. In order to achieve higher efficiency, the transport related issues of the resolution should be included in the ENP transport policy and handled by DG MOVE.

Also, the important activities of the BSEC in the transport sector should be seriously taken into consideration by the EU.

The practical activities of the United Nations Economic Commission for Europe (UNECE) and of the private sector like the International Road Transport Union (IRU), that are mainly simplifying road transport in the Eastern and Southern Neighborhoods of the EU, should be taken into consideration by the EU and integrated in its policies.

In conclusion, this paper is in total agreement with the assessment of Elena Gnedina and Nicu Popescu regarding the ENP that:

The EU has made all the right promises, but either did not deliver on many of them or moved to deliver too slowly. Rectifying this will matter a lot....Thus the first and foremost priority for the EU is not to invent new incentives, but to deliver on promises it has already made, particularly by being less protectionist in trade negotiations and by intensifying visa dialogues. All too often, EU promises from the highest level have been blocked, delayed, or watered down in working groups in Brussels. Better delivery will enable the EU to insist with greater assertiveness on better delivery from its neighbors, which also have a bad record in sticking to their promises. (Gnedina and Popescu, 2012)

As this paper has tried to demonstrate, the lack of a coherent EU transport policy toward its Eastern and Southern Neighborhoods is a case in point with regard to deliverables.

Endnotes

- 1 Transport Corridor Europe Caucasus Asia (TRACECA). For more information, see <http://www.traceca-org.org/en/home/>.
- 2 According to the Commission, the Black Sea Region includes Greece, Bulgaria, Romania, Moldova, Ukraine, Russia, Georgia, Armenia, Azerbaijan and Turkey.
- 3 The TIR Carnet is a customs transit document used to prove the existence of the international guarantee for duties and taxes for the goods transported under the TIR (*Transports Internationaux Routiers*) system, within the limit of the amounts specified by the contracting parties and under conditions stipulated in the TIR Convention.
- 4 **Editor's Note:** The author, in his capacity as Secretary General of the BSEC Permanent International Secretariat at the time, was intimately involved in the process of enhancing relations between the BSEC and the EU and its ensuing results. In this assessment, he provides a firsthand account of his experience.

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About the CIES

The Center for International and European Studies (CIES) at Kadir Has University was established in 2004 as the Center for European Union Studies to study Turkey's European Union accession process. Since September 2010, CIES has been undergoing a major transformation by widening its focus in order to pursue applied, policy-oriented research and to promote debate on the most pressing geostrategic issues of the region.

Its areas of research and interaction include EU institutions and policies (such as enlargement, neighbourhood policies and CFSP/CSDP), cross-cutting horizontal issues such as regional cooperation, global governance, and security, inter alia with a geographical focus on the Black Sea Region (including the Caucasus), the Mediterranean, Southeastern Europe, Turkish-Greek relations, and transatlantic relations.

About the Black Sea Trust for Regional Cooperation

The Black Sea Trust for Regional Cooperation (BST), a project of the German Marshall Fund of the United States promotes regional cooperation

and good governance in the Wider Black Sea region; accountable, transparent, and open governments; strong, effective civic sectors; and independent and professional media. To respond to the rapid shifts in the region, BST staff regularly consult with regional experts and aim to sharpen the program's grantmaking strategy in order to more effectively achieve the Trust's goals. Taking into account the complexity and diversity of the region, BST priorities are revised regularly and adjusted to respond to the region's changing needs. Adjustments are made in consultation with the BST Advisory Board, the German Marshall Fund's network of offices and internal expertise, and in coordination with other donors active in the region.

About the *Neighbourhood Policy Paper* series

The *Neighbourhood Policy Paper* series is meant to provide the policy, research and professional communities with expert input on many of the important issues and challenges facing, in particular, the Eastern neighborhood of the European Union today as they are written by relevant experts. The analysis provided along with the relevant policy recommendations strives to be independent and not representative of any one particular perspective or policy. These papers will also be translated into Russian so that they are accessible to the Russian speaking world in an attempt to enlarge the scope of the dialogue an input on Black Sea Region-related issues. The key priority is to maintain the focus of the policy debate on the Black Sea Region and the wider region.

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